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*Attorneys for Defendant SimplexGrinnell LP*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

DON C. BENNETT, COMERLIS  
DELANEY, GARY ROBINSON, DANA  
R. RENDAHL, DARREN SCOTT, and  
DAVID A. BOECKING, on behalf of  
themselves and all others similarly situated,

Plaintiffs,

vs.

SIMPLEXGRINNELL LP,

Defendants.

Case No. 11-1854 PJH

**STIPULATED REQUEST FOR ORDER  
CHANGING TIME; [PROPOSED] ORDER  
THEREON**

1 Pursuant to Local Rules 5, 6.1, 6.2, and 7-12, Plaintiffs and Defendant SimplexGrinnell LP  
2 hereby stipulate as follows:

3 WHEREAS, Plaintiffs filed their proposed complaint in this action on April 18, 2011;

4 WHEREAS, Defendant SimplexGrinnell LP ("Defendant") filed a motion to dismiss on  
5 May 17, 2011, and noticed a hearing for August 24, 2011;

6 WHEREAS, under Fed. R. Civ. P. 15(a)(1)(B), Plaintiffs have until June 7, 2011 to amend  
7 their complaint without leave;

8 WHEREAS, Plaintiffs' Opposition to the Motion to Dismiss is due under Local Rule 7-3 on  
9 August 3, 2011; and

10 WHEREAS, the Parties desire to facilitate the orderly litigation of this action, to provide  
11 additional time for Plaintiffs to amend their complaint and for an initial exchange of information, as  
12 set forth in the accompanying Declaration of Catha Worthman;

13 It is hereby stipulated and approved by the Parties, if the Court approves, as follows:

14 (1) Plaintiffs may have an extension of time to file their amended complaint without  
15 leave under Fed. R. Civ. P. 15(a)(1)(B) until seven days before their Opposition to the Motion to  
16 Dismiss is due, i.e., until July 27, 2011;

17 (2) In exchange for the extension of time to file an amended pleading, Plaintiffs will  
18 provide initial disclosures to Defendant without awaiting a request including information and  
19 documents from all Plaintiffs (including but not limited to any Plaintiff to be added in the amended  
20 complaint), regarding the California public work for which they allege they have not been paid  
21 prevailing wages;

22 (3) Plaintiffs will provide the above information to Defendant prior to the initial Fed. R.  
23 Civ. P. 26(f) meeting among counsel, which is currently scheduled for June 30, 2011; and

24 (4) The August 24, 2011 hearing will remain on calendar, subject to further modification  
25 by request of the Parties.

26 //

27 //

1 Dated: June 6, 2011

Respectfully submitted,

2  
3 By: /s/ Catha Worthman

4 Todd F. Jackson (SBN 202598)  
5 Catha Worthman (SBN 230399)  
6 Jeffrey Lewis (SBN 66587)  
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*Attorneys for Plaintiffs and Proposed Class*

29 Dated: June 6, 2011

By: /s/

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1 Dated: June 6, 2011

2 By: /s/  
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12 *Attorneys for Defendant SimplexGrinnell LP*

13 [~~PROPOSED~~] ORDER

14 Pursuant to Stipulation of the Parties, IT IS SO ORDERED.

15 Dated: 6/7/11

16 Hon. Phyllis Hamilton  
17 United States District Court  
18 Northern District of California  
19 

**ATTESTATION**

Pursuant to General Order 45(X), I attest that concurrence in the filing of this document has been obtained from each of the other signatories.

June 6, 2011

By: /s/ Catha Worthman

LEWIS, FEINBERG, LEE, RENAKER &  
JACKSON, P.C.  
*Attorneys for Plaintiffs*